

Flathead County Subdivision Regulations
Appendix B
Application and Preliminary Plat Supplements

Part 1 – Application Supplements

In addition to a subdivision application and requirements of these Regulations the following information, including one reproducible set of all application information, must be supplied and considered part of the subdivision application, if applicable:

- a. A fee simple property deed or other instrument showing title and ownership for the property being subdivided. No subdivision application is allowed on a parcel or tract of land which is not recorded or recognized by the county assessor;
See attached [Copy of Deed](#)
- b. A copy of each certificate of survey or subdivision plat(s) pertaining to the subject parcel filed or recorded since July 1, 1973;
See attached two subdivision plats- [Assembly of God](#) , [Assembly of God II](#) as found by Flathead County Recording Office
- c. If the proposed subdivision is a major or subsequent minor, an environmental assessment which meets the requirement of Appendix C (Environmental Assessment);
See attached [Flathead County, Montana Subdivision Regulations, South Lamb Lane Subdivision Environmental Assessment](#)
- d. If the subdivision is a first minor subdivision a summary of probable impacts, Appendix D (First Minor Subdivision Impact Criteria), including any mitigation of impacts;
[This is a Major Subdivision so does not apply.](#)
- e. A Fire Prevention Control and Fuels Reduction Plan for subdivisions in a Wildland Urban Interface, pursuant to Section 4.7.27;
See [South Lamb Lane Subdivision Wildland Urban Fire Prevention Plan and Vegetation Plan](#)
- f. A Flood Hazard Evaluation pursuant to Section 4.7.9;
[Proposed subdivision is not within a flood zone. See Attached Flood Hazard Evaluation FEMA Firmette Report and corresponding map.](#)
- g. A conceptual storm water drainage plan in conformance with section 4.7.13;
[See the MTDEQ approved Storm Water Report and Storm Water Drainage Plan attached to this submittal. The approved plan made use of detention swales to store water in larger storms and allow them to flow off site at no greater than pre development flows. The subdivision will use the existing approvals for the developments on site and those will not be revised in this subdivision thereby remaining exempt from MTDEQ review.](#)
- h. A Dust Control Plan identifying reasonable precautions intended to mitigate dust generated by the subdivision pursuant to Section 4.7.14 and Appendix J;
See [Attached Dust Control Plan](#)
- i. Copies of easements or proposed easements to provide legal primary, and secondary if required, access to the subdivision. If any access easement is provided through federal or state lands, evidence that the land management agency has been contacted;
[See attached package of easements](#)
[1. Septic Easement](#)
[2. Existing easement of Lamb Lane – Road Users agreement](#)
- j. Copies of any existing Road Approach Permits if proposing to use an existing access onto a County road or State highway;
[Proposed Lots 1 and 2 will use approaches off Lamb Lane and it is a private road, and therefore no approach permit is needed. See attached pictures of approaches.](#)
- k. When the subdivider owns adjacent property, the subdivider may be required to provide a

plan of development indicating intent for the development of the other property;

The adjacent property, 1545 Karrow Avenue, is owned by CROW LLC. CROW LLC is owned by owners of Karrow Properties LLC. 1545 Karrow Avenue has a Preliminary Plat Application approved for a 6 lot subdivision, see attached Plat. Utilities are in final stages of install and approval. Filing for final plat by December 31/2020.

- l. A copy of any existing covenants and restrictions on any lands to be subdivided;
No exiting covenants and restriction on 1555 Karrow Avenue are on file.
- m. If common property is to be deeded to a property owners association, a draft of the covenants and restrictions or Home Owners Agreement which will govern the common property;
There is no common property.
- n. Drafts of proposed covenants and restrictions are encouraged to be submitted, if applicable;
South Lamb Lane Subdivision will not have a Covenants, Conditions, and Restrictions.
- o. A draft Road User's Agreement or CC&R's addressing road maintenance;
See Attached Lamb Lane Road User Agreement between Karrow Properties, Whitefish Assembly of God Church and CROW LLC. The agreement with Karrow Properties, owner of 1555 Karrow, will be transferred to proposed Lot 1 and Lot 2.
- p. A "Will Serve Letter" or agreement from the public water and/or sewer provider indicating they will provide service to the subdivision;
As approved by the MTDEQ, the existing water supply is through South Karrow Water Association from the City of Whitefish Water. Please see attached approved COSA, South Karrow Water Association Agreement, and Larry McGone Letter.
- q. A description and map of the proposed subdivision's water supply systems, solid waste disposal systems, and wastewater treatment systems, including whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the Montana Department of Environmental Quality. The map must show the location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots the following:
 - i. 100-Year flood plains;
 - ii. Surface water features, including lakes, streams and rivers, springs and irrigation ditches;
 - iii. Existing, previously approved, and, for parcels less than 20 acres, proposed water wells and wastewater systems;
 - iv. Location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities.

Please see the Attached Lot Layout showing all the items listed above.

 - i) There are no flood plains;
 - ii) There are no surface water features;
 - iii) There is a MTDEQ approved COSA for the existing shared sandmound system for wastewater treatment. This system is approved by MT DEQ and Flathead County Health to service Lot 1 and Lot 2 residences, and use of the South Karrow Water Association to supply water for Lot 1 and Lot 2 residences. Solid waste system disposal will be through individual containers Republic Services for hauling to Flathead County landfill;
 - iv) City of Whitefish water main located north side of Lamb Lane. As approved by the MTDEQ the onsite system will make use of the existing South Karrow Water Association water source.
- r. Evidence of suitability for new onsite wastewater treatment systems which include:
 - i. Soil profile description(s) from a representative drain field site or sites identified on the vicinity map that complies with standards published by the Montana Department of Environmental Quality;
 - ii. Demonstration that each soil profile contains a minimum of four feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer;

- iii. In cases in which the soil profile or other information indicates that ground water is within five feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance.

See the attached approved COSA application and Approval from MT DEQ and Flathead County Health Department for wastewater plan, and the septic as built drawings. The drainfield design was done in accordance with MT DEQ circular 4 and the non degradation calculations were performed in accordance with state law. The non degradation calculations showed that the proposed drainfield will not have an adverse affect as defined by state law on the ground or adjacent surface water. The non degradation calculations have been reviewed and approved by the Montana DEQ and Flathead County Health Department.

- s. For new water supply systems, unless storage tanks are proposed, evidence of adequate water availability which includes information from:

- i. Well logs or testing of onsite or nearby wells;
- ii. Published hydro-geological reports; Flathead County Subdivision Regulations Page -A5
- iii. As otherwise specified by rules adopted by the Montana Department of Environmental Quality.
As approved in the MT DEQ COSA, the water source for the two residences is from the South Karrow Water Association. In order to obtain approval all state regulations were met. Please see attached approved COSA.

- t. Evidence of sufficient water quality in accordance with rules adopted by the Montana Department of Environmental Quality;

As approved by the MT DEQ the water source is from the South Karrow Water Association. The south Karrow Water Association is an existing subsequent public water supply that is fed by the City of Whitefish Public Water Supply. The City of Whitefish meets all the requirements for testing of water quality and quantity for the water provided to these lots. The south Karrow Water Association was formed in the 1950's and within those existing documents is allowed to serve the existing connections but not add any new connections. The existing development is served by two of these existing connections and these will remain in the proposed subdivision.

- u. A preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the Board of Environmental Review pursuant to 75-5-301 and 75-5-303, MCA related to standard mixing zones for ground water, source specific mixing zones, and non-significant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. The subdivider may perform a complete nondegradation analysis in the same manner as is required for an application that is reviewed by the Department of Environmental Quality;

A complete non degradation analysis has been performed, reviewed, and approved by the Montana DEQ subdivision section. The nondegradation calculations that were performed cover the proposed wastewater flows from approved COSA document. The subdivision will not alter these flows and therefore they are considered existing under the applicable rules and statutes. Please see the attached approved COSA.

- v. A drawing of the conceptual lot layout at a scale no smaller than 1 inch equal to 200 feet that shows all information required for a lot layout document in rules adopted by the Montana Department of Environmental Quality;

See attached Lot Layout drawing which is based on MDEQ requirements.

- w. Information regarding the disposition of water rights. This includes copies of any water rights owned by the land owner to be reserved and/or transferred. The subdivider shall indicate a proposal to:

- i. Reserve all or a portion of the appropriated water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the water; Establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities

of landowners within the subdivision who have a legal right and access to the water if the subdivision creates parcels with lot sizes averaging less than 5 acres and the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots; or

- ii. Reserve and sever all surface water rights from the land.

Water sources for Lot 1 and Lot 2 is through South Karrow Water Association and were reviewed during the COSA rewrite process that occurred on this existing approval. The water rights for the water usage on the lot is under the existing water rights for the City of Whitefish.

- x. For major subdivisions, an adjoiners list of all tracts, lots, or land parcels adjoining the proposed subdivision together with the name and address of the owner of each tract, lot, or land parcel certified by the clerk and recorder, GIS Office or title company, generated not more than 30 days prior to the application submittal. Where the proposed subdivision abuts a public right-of-way, or rivers less than 150 feet in width, the properties across such right-of-way or water course shall be considered as adjacent; Note: Adjoiner lists shall be valid for a six month period. If the origination date of the adjoiners list is older than six months of the scheduled public hearing the Planning and Zoning Office shall require a new adjoiners list before the application is scheduled for a public hearing.

Fee was paid at Flathead County Planning & Zoning Office upon submittal of Preliminary Plat

- y. A draft Latecomers Agreement pursuant to Section 4.0.17 and Appendix I;

N/A. Proposed Subdivision is only one phase and will not have cost that will be reimbursed from future lot purchasers.

- z. A clear written description of directions to the subject site for vehicle travel;

From Highway 93 South just south of Whitefish, turn west on Blanchard Lake Road. Follow as it turns into Karrow Ave. At intersection of Lamb Lane and Karrow Ave turn east onto Lamb Lane. Subject parcel is along entire southside of Lamb Lane.

- aa. One or more site location map(s) on 11" x 17" paper. Site location maps shall be clear, concise and reproducible, showing the following:

- i. The locations of the proposed subdivision in relation to the nearest town, highway, and road system;

See Attached Lot Layout – has inset map of surrounding property and location to roads.

- ii. Vehicle access to the subdivision from the adjoining or nearest public roads;

- iii. Names of any adjoining platted subdivisions and/or numbers of adjoining Certificates of Survey on record in the Office of the Clerk and Recorder.

These can be looked up on county GIS site, probably just look up adjacent and adjoining parcels.

- bb. A description of any existing or proposed stream bank or shoreline alterations, and any proposed construction or modification of lake beds or stream channels. Provide information on location, extent, type, and purpose of alteration;

There are no stream bank or shoreline alteration, nor any lake bed or stream channel modification on the property.

- cc. A description of all existing and proposed easements or rights-of-way for utilities, or other purposes on or adjacent to the proposed subdivision, including:

- i. A description of each easement width;

Existing Utility and right of way easement along Lamb Lane and Karrow Ave. Lamb Lane has a 30' utility and access easement.

There is a MTDOT 15' easement already granted for the future Karrow Ave Bike/Pedestrian path. It runs the complete length of Proposed Lot 2 western property line.

Proposed septic easement for the existing Shared Wastewater treatment on proposed Lot 1. This will encompass the existing dosing tank, and sand mound drain field. It measures 60' x 130'.

- ii. The approximate on-site location, size and depth of existing water and sewer mains, fire hydrants, gas, electric and telephone lines as well as the nearest offsite location of the above named utilities; The City of Whitefish water line runs on the north side of Lamb Lane at approximately 12' off edge of road, and 5-6' deep according to T-Bend Construction who did the install. This water line services and the fire hydrants which are located on the north side of Lamb Lane at west end, and midway down Lamb Lane toward the Assembly of God Church. There is a Northwest Energy gas line on north side of Lamb Lane at approximate depth of 24" and 2-3' off the edge of Lamb Lane (marked by gas company markers). Flathead Electric has underground power down the south side of lamb lane at about 36" depth and 6' off edge of road. Telephone and cable utilities are on south side of Lamb Lane at a depth of 24". All utilities are shown on the Lot Layout map.
- iii. All on-site utility descriptions shall be referenced to the preliminary plat.
- dd. A request for any/all variance(s) to these Regulations.
There is no variance requested from these regulations.

Part 2 – Preliminary Plat Form and Contents

The subdivider shall submit a legible plat at a scale sufficient to minimize the number of sheets and maintain clarity. The plat shall consist of one or more sheets either 18 x 24 inches or 24 x 36 inches in size. Additional copies of the plat measuring 11 x 17 inches in size and 8.5 x 11 inches in size shall be included. The following shall be included on the preliminary plat, if applicable:

- a. Name and location of the subdivision, scale, scale bar, north arrow and date of preparation;
- b. The approximate exterior boundaries and location of all section corners or subdivision corners of sections pertinent to the subdivision boundary including bearings and distances sufficient to locate the exact area proposed for subdivision; Flathead County Subdivision Regulations Page -A7
- c. All lots and blocks designated by numbers, approximate dimensions scaled to the nearest foot, and the area of each lot estimated to the nearest 0.1 acre;
- d. Ground contours for the tract shall be shown in accordance to the following requirements: Where the Average Slope of the Entire Site Is Contour Intervals for the Entire Plat Shall Be Under 10% Under 10% Two (2) feet 10% - 15% Five (5) feet Over 15% Ten (10) feet. If a uniform contour interval is not practical, the contour interval may be changed for steep areas, if such a change is clearly identifiable through shading or other appropriate graphic technique. For building pads and driveways see Section 4.7.7 for additional topography requirements.
- e. The planning director may waive the topography requirement if the subdivider can demonstrate that the elevation difference over the entire subdivision is less than 20 feet and the subdivision does not contain areas mapped as 100-year floodplain.
- f. All existing and proposed adjoining roads and alleys, and width of the access easement(s) with existing and proposed road names and access points from the nearest public roads;
- g. Any existing and proposed utilities located on or adjacent to the proposed subdivision, including utility easements and right-of-way easements located or proposed to be located on or adjacent to the tract;
- h. Location, boundaries, dimensions and areas of any parks or areas dedicated for common or public use;
- i. Location and size of existing buildings, structures and improvements, if to be retained;
- j. Designated one hundred year (100-year) floodplain and/or floodway area, if any;
- k. Location and size of all natural and environmental features on the site including all surface water bodies, wetlands, springs and areas of shallow ground water eight feet or less;
- l. For each lot where the obvious building area is in question (general topography of the lot or immediate topography adjacent to the primary access road averages 25%) show:
 - i. A typical building pad (measuring a minimum 40 foot square);
 - ii. The building pad must be able to be accessed by a minimum 10 foot wide private drive with no point of the driveway exceeding a developed grade of 12%, and the initial 20 feet of driveway surface shall not exceed 5% grade. In the case ground Flathead County Subdivision Regulations Page -A8 contours

- provided in conformance with (d) above do not indicate conformance with the grade standard, the application shall include driveway profiles demonstrating conformance of developed grade;
- iii. The driveway and building pad shall be identified on the preliminary plat using minimum 2-foot contour intervals for clarity;
 - iv. Any building pad which exceeds 25% in cross slope shall be required to receive a favorable report and comply with the recommendations of a geo-technical soils analysis conducted by a licensed engineer prior to final plat approval.

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All items above should be found on the preliminary plat document.